

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

FREDRICK E. MCSWINE,

Petitioner,

vs.

ROB JEFFREYS,

Respondent.

**8:23CV488****MEMORANDUM AND ORDER**

This matter is before the Court on a motion to extend the deadline to respond to Respondent's answer and for clarification regarding any page limitation on his responsive brief and an allowance to potentially exceed those limits (the "Motion") filed by Petitioner Fredrick E. McSwine ("Petitioner"). [Filing No. 22](#). In support, Petitioner argues that extra time is needed to file his response due to his lack of training in the law, limited access to the law library and typewriters in the facility where he is currently housed, the amount of information he needs to address in the extensive brief he is in the process of preparing, and as several final papers are due for coursework he is currently completing during the same time as the briefing on this matter is due. *Id.* Petitioner does not state how much additional time he seeks for completion of his briefing or how many pages he anticipates his completed briefing will be.

Currently Petitioner has through and until November 15, 2024, to complete his brief in response to Respondent's answer. [Filing No. 21](#). The length of Petitioner's brief is governed by NECivR [7.1\(d\)\(1\)\(A\)](#), requiring court permission for any supporting or opposing brief to exceed 13,000 words. This Court may deviate from the local rules in the interests of justice. See NEGenR [1.1\(c\)](#).

Upon careful consideration, IT IS ORDERED THAT:

1. The Motion, [Filing No. 22](#), is granted. The Court grants Petitioner an additional 30 days to complete his responsive brief, making it now due on or before **December 12, 2024**. In the interest of justice, the Court also grants Petitioner permission to exceed the word limit set forth in NECivR [7.1\(d\)\(1\)](#), for Petitioner's brief in response to Respondent's answer.

2. The Clerk of Court shall terminate the November 15, 2024, case management deadline set forth in the Court's October 23, 2024, Order, [Filing No. 21](#), and shall set the following pro se case management deadline of **December 12, 2024**: check for Petitioner's responsive brief.

3. Petitioner is reminded that to the extent he seeks additional time to comply with this Memorandum and Order he must file a written motion with this Court before the deadline for compliance has passed.

Dated this 12th day of November, 2024.

BY THE COURT:



Joseph F. Bataillon  
Senior United States District Court